

CITY COUNCIL MEETING
Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001
May 3, 2016
7:00 P.M.

AS APPROVED 5/17/2016

A regular meeting of the Algonac City Council was called to order at 7:00 p.m. on Tuesday, May 3, 2016 by Mayor Irene Bird. The meeting was held in City Council Chambers, 805 St. Clair River Drive, Algonac, MI 48001.

ROLL CALL

Present: Michael Bembas
Irene Bird, Mayor
Ray Martin
Helen Meldrum
Joe Nugent
Mark Thompson, Mayor Pro-Tem
Gary Tuzinowski

Absent: None

Others: City Manager Alexander, Diane Strevel,
Ada Smith, Gale Anthony, Michelle Landry,
Charlotte Randazzo, Amanda Gougeon,
Karen Cole, Debra Scruggs, Robert Scruggs,
Cheryl Baker, Jesse Babson, David Wendy,
Debbie Wendy, Charlotte Stanulis, Edward
Stanulis, Sandra Kacarka, Jennie Hutcheson,
Matthew Verneal, Jessica Baumgartner, Hazel
Baumgartner, Virginia Baumgartner, Heather
Dubicki, Darin Garbrie, Cindy Kloeffer, John
J. Pajak, Cheryl Harris, Randall Riecke, Kathy
Sklut, Kathy Doan, Joseph Doan, City Clerk Greenia
And approximately 60 other persons

MOMENT OF SILENT PRAYER

Mayor Bird asked for a moment of silent prayer.

PLEDGE OF ALLEGIANCE

Mayor Bird led the Pledge of Allegiance.

PUBLIC COMMENT

Karen Cole, 470 Dixie, addressed City Council with her concerns about how the Dream Center brochure portrayed Algonac. She reviewed that many of the services they speak of in the brochure are already offered in Algonac. She was concerned with what appeared to be the Mayor and another council member going to meetings regarding the Dream Center without any other member of City Council or the City Manager being aware of this. She asked that a copy of the document she was reading be approved in the consent agenda under Communications and Notices.

Ed Stanulis, 315 Edgewater spoke to City Council. He stated he had previously served on the school board and was concerned that the City would eventually end up with being responsible for maintenance and care of the building that was the former Algonac Elementary School. This would mean tax payer funds would be used, basically, on expenditures that were for a church. This caused a problem with the separation of Church and State which our Constitution requires.

Sarah Kilchevskyi, graduate of Algonac High School Class of 2002, was present and reviewed her concern that the material presented in the Dream Center brochure portrayed Algonac as a less than desirable place to live. She named many residents in Algonac – as well as former students in the High School – who were quite successful – she said that it was her feeling that they were really who Algonac was. She ended by stating that she felt this community needed leaders who will unite to take care of the residents' needs and concerns.

Matt Vermiel presented that he felt the Algonac School District made some rash and fast decisions when they sold the buildings. They sold it and 30 days later that person sold it for a much higher profit. He hoped that everyone involved in that sale had spoken to their attorney to make certain that how these sales were processed were legal. He felt the entire school district area had lost big time on the transactions with the building. He asked that they be looked into

and that everyone in the district be notified as to the facts on what really happened.

Amanda Gougeon approached to speak to City Council. She began by stating that she felt there had been a lot of confusion on this matter. Most of the information that was obtained by the public was not really fair or accurate. She also felt that another issue of concern was what appeared to be a lack of transparency on the part of some of the Council members. She reviewed her findings against what had been published in the information from the Dream Center brochure. The poverty rate in Algonac was currently at 11% - not the drastic amount as proclaimed by the Dream Center Brochure. The current location of these centers were in areas that did have more poverty – both Warren at 19.6% poverty rate and Pontiac at 37.8% poverty rate. Free and Reduced lunches for the Algonac school district were at 39%, not the 40% or 50% being published as “fact”. Next, she added that our community already has a lot of the services that would be provided for by the Dream Center. She was concerned that the Supervisor in Clay Township was stating this was going to be like a YMCA. That was not true. The YMCA is independent of any church, and the Dream Center was connected to the Woodside Bible Church. In fact the Director of the Dream Center had been an attorney that represented the Algonac School District about a year ago on a matter. She added that the Dream Centers in Warren and Pontiac have actually “swallowed” smaller churches in those areas. It even says in the brochure that their mission is to convert people to Christianity. In fact, when speaking of a Dream Center in Dearborn, the literature states clearly they would wish to convert people from the Muslim faith to the Christian faith. She just feels that no one here really wants this Dream Center to come in. There are a lot of concerned citizens here to back up that statement.

Steve Pray said he had lived in the City most of his life. His daughter and grandson were both here and he felt that it is simply not true the information given in the Dream Center brochure about the “generational problems” that exist in Algonac. He is proud of his daughter and grandson. He had three (3) concerns that he wanted to share with Council. 1) As far as the meetings go – secrecy breeds descent – there must be transparency; 2) for the Dream Center to move it they will need between \$500,000 and \$750,000 just to get the building in the shape they need it to be – he would rather see that money go to the existing services in our community; and 3) as Mayor and City Council their job is to keep the City running properly and if you allow the Dream Center to come in to our community you are just admitting to the world that Algonac is truly as bad a place as the Dream Center brochure makes it out to be.

Pete Rueter, 139 Channelsyde, wondered if the former Algonac Elementary could just be made into an educational facility. Maybe it could be a satellite campus for St. Clair County Community College, maybe a facility to teach trades, there were many possibilities. He felt maybe a committee could be put together to investigate those.

Robert Klieman, 1065 Smith approached City Council. He stated that he felt something "stinks" as to the amount of money that was made on the second sale of the property. He asked that Council Member Nugent and Mayor Bird resign tonight. He added that he felt they had no business going to the meetings, and that the citizens needed transparency.

Citizen approached – stated she had invited both Supervisor Art Bryson and Superintendent John Stryker to the meeting tonight. They were not in attendance.

Kathy Sklut, 1422 St. Clair River Drive stated that she was very involved with the community and she was concerned with really what type of center this was. She said she knew quite a bit about recovery centers and those that were Christian based. She asked City Council to please just slow down on the decisions they are making on the Dream Center.

David Wendy approached City Council. He stated he worked for the City a long time ago. He had watched the town grow over the years. After reading about the Dream Center, he felt they were only put in areas where there are severe drug problems. That was a concern of his. Would this bring more drugs to Algonac? The Sheriff already had enough to do without adding additional problems. Does this type of facility really offer help? In the end he felt that Algonac simply should not trust them.

Robert Scruggs and Corey Blair, Planning Commission Vice-Chair and Chairman respectively, indicated that they had not been asked to review any site plans in quite some time and were wondering if they will be given this to review. Mr. Scruggs asked if it was something the City Council members and City Manager would expect them to do in their duties as Planning Commission members?

John Droulliard, 1420 Washington said he had lived here for many years. He was very concerned that the Dream Center would be troublesome for the community.

CITY MANAGER'S REPORT

CO # 05-01-16 Approve City Managers' Report

Motion by Thompson supported by Bembas to approve the City Manager's report as presented. Motion carried.

CONSENT AGENDA

The following items were on the consent agenda for the May 3, 2016 Algonac City Council meeting.

1) Consent Agenda

a) City Council Minutes

1) Regular Minutes April 19, 2016

b) Communications and Notices

1)(Addition of) Karen Cole's Comments on The Dream Center

c) Departmental Reports

CO # 05-02-16 Approve Consent Agenda

Motion by Nugent supported by Martin to approve the consent agenda for the May 3, 2016 meeting of the Algonac City Council as presented. Motion carried.

UNFINISHED BUSINESS

None at this time.

NEW BUSINESS

CO # 05-03-16 Approval of Eng. Services for Sanitary Sewer Collection System Asset Management Program

Motion by Thompson supported by Meldrum to adopt the recommendation of the City Manager to approve the proposal from PCE, Inc. in the amount of \$21,800 to complete Phase One of the Sanitary Sewer collection system Asset Management Program as mandated by MDEQ.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski

NAYS: None

Motion Carried

CO # 05-04-16 Receive and File Bridge Inspection Report

Motion by Martin supported by Thompson to adopt the recommendation of the City Manager to receive and file the 2015 Bridge Inspection Report.
Motion carried.

CO # 05-05-16 Waive Bid Procedure for Tree Cutting Services

Motion by Tuzinowski supported by Meldrum that the recommendation of the City Manager is approved to waive the bid procedure and to approve payment of the attached invoice from Timbers Tree service in the amount of \$1,600 for tree removal services and to further authorize additional expenditures within annual budgeted amounts as it is in the best interest of the City.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski
NAYS: None
Motion Carried

CO # 05-06-16 Approval of Microphone Purchase for City Council Chambers

Motion by Thompson supported by Nugent to approve the recommendation of the City Manager and Public Services Director to waive the bid procedure and authorize the payment of \$1,074.99 for three (3) microphones and one (1) desk microphone stand for City Council Chambers to Sweetwater as it is in the best interest of the City.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski
NAYS: None
Motion Carried

CO # 05-07-16 Evoqua Water Technologies On-Site Service Visit

Motion by Meldrum supported by Bembas that the recommendation of the City Manager and Public Services Director be approved and that the expenditure in the amount of \$2,130 be paid to Evoqua Water Technologies for an on-site visit as it is in the best interest of the City.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski
NAYS: None
Motion Carried

CO # 05-08-16 Request of Council Member Martin to Discuss Meetings About Reuse of Former Algonac Elementary School.

Motion by Tuzinowski supported by Meldrum to open discussion on the meetings about reuse of former Algonac Elementary School.

City Council Member Martin stated he wished this item to be on the agenda from here forward until the matter is resolved. He stated he will continue to do so until Council can be confident that proper disclosure and city procedures are being followed. He asked for this as he did not feel it was right that only two (2) city council members, the Clay Township Supervisor and the Algonac Schools Superintendent were involved in the meetings in question. If there is nothing to be reported by the City Manager on this, then it should be recorded as so in the minutes. He wished to make sure that the entire City Council and public was aware of what was happening at these meetings. If there is nothing new then the City Manager will state that. He added that he felt transparency was very important, and as a body the City Council had been left in the dark about this. The Council by consensus agreed this item should be added on each agenda as unfinished business until resolved.

Mayor Bird then commented that to be clear the Dream Center had not officially given anything to the City Manager or City Council to apply for this use at this time. Nothing had ever been agreed to by herself or City Council Member Nugent at the meetings. She stated she did not commit the City to anything during those meetings. There would be another meeting and it would be published so that everyone could attend that wished to. At that meeting all the people can explain how they feel about the project. They could ask anything at that time. She noted that Karen Cole stated her concerns about making sure everyone knew what was happening.

At this point Karen Cole responded that in all the talk about transparency she felt it important for the Mayor to realize that she was always the Mayor, never a private citizen. Because no one else was informed about the meetings they were all very concerned with that. If the Superintendent of Schools felt the City needed to be involved in this process, the correct action to take would have been to come to the meeting and ask at a public meeting for the City's help and input.

Council Member Thompson stated that he felt that City Council members are always asked to be involved with things, and there is not always enough time to

give notice to the public about those. Discussion was had on the proper way to address that matter as well. To him, this was a very grey area.

Council Member Tuzinowski asked City Manager Alexander if the building had been inspected where the tree fell in on it. City Manager Alexander stated that it had not, to his knowledge, been inspected. Mr. Tuzinowski also asked if the building was being used in the current condition. To Mr. Alexander's knowledge, it was not being used.

A question from the audience was directed at Mayor Bird. Where were the meetings held at and what time of day were they. She said the first meeting was at the Algonac Elementary School, it was at 1:00 p.m.

Council Member Meldrum requested that the City Manager contact the City Attorney to discuss Section 6.6 of the City Charter which was regarding how the City Council could legally conduct an investigation on itself. She wanted to know how they would go about doing this. Her feeling was that having such an investigation was the only way they were going to find out what actually happened at the meetings attended by Mayor Bird and City Council Member Nugent. She was concerned and wanted all things investigated that had to do with the meeting with Dr. Stryker and Supervisor Bryson – did the new owners have any ties to them? She noted that we elected the school board and that Dr. Stryker works for them. She added that the School Board and Administration have a Code of Ethics that they must follow. If Dr. Stryker is advocating on behalf of the City, saying he is doing this as a private citizen, then he is violating that Code of Ethics. The meetings that Mayor Bird and Council Member Nugent attended were also in violation of the Algonac City Council Code of Conduct. She stated that City Council has received no information from either of them regarding the meetings they attended. Neither of them have apologized to the rest of the City Council or the public for attending those meetings. She questioned why that was? Why haven't they apologized? She felt that they had shattered the public's trust in them, as well as the trust in fellow City Council members. She added that in her opinion what they did was could be defined as collusion. She asked why Dr. Stryker was so involved in pushing this project forward. She then indicated she felt that both Mayor Bird and Council Member Nugent should resign tonight.

Council Member Meldrum then went on to say that she would like to see if the City could authorize City Manager Alexander to write a cease and desist letter to

Supervisor Art Bryson as well as Superintendent Stryker, noting that they must follow some sort of Code of Ethics and that she felt they were not following them correctly. This needed to be stopped. She felt that the issue regarding the sale of the properties needed to be investigated.

She said that credibility was becoming an issue in regards to the Dream Center and how the meetings had taken place. She stated that the City would try to have more information for the public at the next meeting.

Robert Klieman, 1062 Smith Street, said that he felt the Mayor had not really answered the question about her involvement at the meetings. His feeling was that she was being a “cheerleader” for the project.

Council Member Tuzinowski stated that he felt the School Board should be investigated. He asked City Manager Alexander how they would get someone to do this – investigate the School Board and their involvement in this. It was suggested that everyone should attend the next school board meeting and speak their concerns to them as well.

Further discussion ensued about the sale of the school and the involvement the school board had in this sale as well as the Superintendent.

CO #05-09-16 Close Discussion Former Algonac Elementary Building

Motion by Thompson, supported by Martin to close the discussion of the former Algonac Elementary School Building at this time. Motion carried.

No action was taken on either request from City Council Member Meldrum.

City Manager Alexander said he was looking for some direction from a majority of the City Council if there is something they specifically wanted him to do as the City has not been formally notified of anything including this Dream Center project.

Council Member Martin stated his feeling again is that we ask the City Manager to include this on each agenda in the future under Unfinished Business. If there is no comment – nothing new to report – it will be recorded in the minutes of the meeting. They will do this from now on until this is not an issue they are dealing with any more.

ACCOUNTS PAYABLE

CO # 05-10-16 Approve and Pay Accounts Payable and Payroll

Motion by Thompson supported by Martin to approve and pay accounts payable and payroll in the amount of \$173,059.42.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski

NAYS:

ITEMS FOR NEXT AGENDA

Council Member Tuzinowski asked if the City Manager could contact the City Attorney regarding what our rights are as to inspecting the building that was the former Algonac Elementary School as well as what our rights are in regards to how the proposed used will be required to comply with the City of Algonac Zoning Ordinance.

City Manager Alexander reviewed his thoughts on this. If it was used as a public school before, the current use that is being discussed would not be allowed as any type of continuance of the non-conforming use. Also, the usual period for extending a non-conforming use type is six (6) months.

City Council Member Thompson stated that any type of use that is not residential would have to come before the Planning Commission for approval.

City Manager Alexander stated that he did have one concern and that was if this property is legally owned by a church they may be exempt from local zoning ordinance. He would have to research that.

Council Member Meldrum stated she would also like to see someone look into the sale of the property by the school district.

At this time, City Manager Alexander indicated that City Council had not formally asked him to do anything. If they wanted him to take specific action on something they discussed they needed to give him direction to do so.

Council Member Thompson said he would like the City Manager to look into the sale of the property.

City Manager Alexander stated that he felt before any other questions could be answered he needed to figure out whether or not this building – if owned by a church – would be exempt from local zoning ordinances. Council was in

agreement that this was something they would request the City Manager to do. He said he will meet with the City Attorney on this.

CITY COUNCIL COMMENTS

Council Member Bembas reviewed the recent fund raiser that was held at The Flaming Grill with proceeds going toward the Friends of the Library. He also reminded everyone that the Post Office had their food drive on May 14th, 2016. He encouraged everyone to give to this food drive and added that last year our community was very generous.

Council Member Meldrum again stated she felt that the public's trust in Council had been shattered by two members of Council. Council Member Nugent had not responded to this at all and neither one of them had apologized. She once again asked that Mayor Bird and Council Member Nugent resign.

Council Member Tuzinowski thanked everyone for coming.

ADJOURNMENT

CO # 05-11-16 Adjourn

Motion by Thompson, supported by Meldrum to adjourn the meeting at 8:45 p.m. Motion carried.

Signed:

Respectfully Submitted:

Irene Bird, Mayor

Cindi Greenia, Clerk